EXHIBIT K

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1	UNITED STATES DISTRICT COURT
2	NORTHERN DISTRICT OF CALIFORNIA
3	SAN FRANCISCO DIVISION
4	
5	WAYMO LLC,
6	Plaintiff,
7	vs. Case No.
8	UBER TECHNOLOGIES, INC.; 3:17-cv-00939-WHA
9	OTTOMOTTO LLC; OTTO TRUCKING LLC,
10	Defendants.
11	/
12	
13	HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
14	
15	VIDEOTAPED DEPOSITION OF MATHEW HENLEY
16	FRIDAY, DECEMBER 22, 2017
17	
18	
19	
20	Reported by:
21	Anrae Wimberley
22	CSR No. 7778
23	Job No. 2771361B
24	
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1	that I'm limiting this to collection based on these	16:44:23
2	objectives.	
3	I'm simply asking you right now, based on	
4	this product this project, which was the	
5	autonomous project was Zoo, I believe you said that	16:44:35
6	you understood that there was research that was	
7	going to be done on some of the leading companies in	
8	that space, including Google or Waymo	
9	A. Yes.	
10	Q and that you believe that the code name	16:44:52
11	Giraffe refers to Google or Waymo.	
12	A. Um-hum.	
13	Q. So I think that's been established by your	
14	testimony.	
15	A. Yes.	16:45:02
16	Q. Now, in light of that project, are you	
17	aware of Uber uncovering any confidential	
18	information of Waymo's?	
19	A. I'm not aware of any confidential	
20	information.	16:45:17
21	Q. Are you aware of any trade secret	
22	information of Waymo's being uncovered in connection	
23	with this effort to conduct research into the	
24	autonomous space?	
25	A. "Trade secret" is something I need help	16:45:29
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1	with the definition on specifically.	16:45:33
2	Q. Well, do you have a concern or belief that	
3	there was some type of information of Waymo's that	
4	was uncovered? Because I can just work backwards.	
5	Why don't you tell me all the information	16:45:55
6	related to Waymo that you believe was uncovered as a	
7	result of these efforts.	
8	A. All of our efforts against Waymo that I'm	
9	aware of occurred in public space.	
10	Q. And when you say "public space," you're	16:46:12
11	referring to surveillance?	
12	A. Yeah, observation.	
13	Q. So observation of vehicles?	
14	A. Yes.	
15	Q. And so you're not aware of any other	16:46:19
16	research activity or surveillance or investigative	
17	tool that was utilized against Waymo other than this	
18	physical surveillance of vehicles; is that correct?	
19	A. Yeah.	
20	Q. So anything that you observed would have	16:46:32
21	been the observation of these vehicles in the public	
22	space?	
23	A. Yes, driving around.	
24	Q. And based on that, are you aware of having	
25	discovered any trade secrets of Waymo?	16:46:43
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1	A. Again, I don't know the definition of	16:46:46
2	"trade secret," but if my previous statement agrees	
3	with that, then, yes.	
4	Q. Certainly no one ever told you that they	
5	discovered any Waymo trade secrets; is that correct?	16:47:05
6	A. Correct.	
7	Q. Let me ask you to take a look at the	
8	fourth paragraph of this on page 625. The last	
9	sentence of the fourth paragraph reads, "Little, if	
10	any, protected data or technical information has	16:48:21
11	leaked into the public domain."	
12	Do you see that?	
13	A. The last sentence?	
14	MR. UMHOFER: Right there (indicating).	
15	BY MR. LYONS:	16:48:35
16	Q. What do you understand the term "protected	
17	data" to refer to?	
18	A. If I'm thinking of protected data, I'm	
19	thinking of data that is being secured or contained	
20	within the entity that owns it.	16:49:06
21	Q. Were there any programs in place at Uber	
22	to conduct research to see if any protected data had	
23	leaked into the public domain?	
24	A. The biggest thing I would that I think	
25	potentially that could get into an area like that	16:49:32
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1	would be we would monitor GitHub, which is a source	16:49:36
2	code repository. The public GitHub. We would	
3	monitor the public Web and you know, looking for	
4	context that would be usually inadvertently dropped	
5	out of there by an engineer, et cetera.	16:50:00
6	Q. Did you ever looking at that sentence,	
7	do you agree that little, if any, protected data or	
8	technical information regarding Waymo has leaked	
9	into the public domain?	
10	A. To the best of my knowledge, we've never	16:50:31
11	run across any anything that I would consider	
12	protected data through something like our GitHub	
13	public monitoring or web scraping.	
14	Q. Let me ask you to turn to page 627.	
15	Actually, just for context, please turn to 626. And	16:50:55
16	you'll see this references is a two-prong collection	
17	method. Prong 1 is "Establish and maintain the	
18	baseline." And 2 refers to "Internal resources."	
19	And then, under 2, it says, "In order to	
20	build the subject matter expertise necessary to	16:51:23
21	drive collection, SSG would like to meet on a	
22	semi-routine basis with our own AV experts at	
23	Iden I, Iden J, and elsewhere."	
24	Do you know who those companies are?	
25	A. I don't know if they are if they are	16:51:37
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1	FEDERAL CERTIFICATE OF DEPOSITION OFFICER
2	
0	I, ANRAE WIMBERLEY, CSR NO. 7778, do hereby
3	declare:
4	That, prior to being examined, the witness
	named in the foregoing deposition was by me duly
5	sworn pursuant to Section 30(f)(1) of the Federal
,	Rules of Civil Procedure and the deposition is a
6	true record of the testimony given by the witness;
7	That said deposition was taken down by me in
	shorthand at the time and place therein named and
8	thereafter reduced to text under my direction;
9	X That the witness was requested to
	review the transcript and make any changes to the
10	transcript as a result of that review pursuant to
	Section 30(e) of the Federal Rules of Civil
11	Procedure;
12	No changes have been provided by the
13	witness during the period allowed;
	The changes made by the witness are
14	appended to the transcript;
15	No request was made that the
	transcript be reviewed pursuant to Section 30(e) of
16	the Federal Rules of Civil Procedure.
17	I further declare that I have no interest in
18	the event of the action.
	I declare under penalty of perjury under the
19	laws of the United States of America that the
20	foregoing is true and correct.
7	WITNESS my hand this 26th day of December,
21	2017.
22	20 0
23 24	Anna Ulimberley
24	ANRAE WIMBERLEY, CSR NO. 7778
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